

REMARKS

This Amendment is being filed in response to the Final Office Action mailed May 15, 2007, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

In the Final Office Action, claims 1 and 4-5 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 6,079,619 (Teraura). Further, claims 2, 6-7 and 11 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Teraura in view of U.S. Patent Application Publication No. 2002/0115410 (Higashino). Claim 8 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Teraura in view of U.S. Patent Application Publication No. 2001/0011012 (Hino). Claims 9-10 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Teraura in view of U.S. Patent No. 6,842,606 (Tekemura). It is respectfully submitted that claims 1-2, 4-5 and 8-11 are patentable over Teraura, Higashino, Hino and Tekemura for at least the following reasons.

Teraura is directed to an identification tag 3, shown in FIG 2, which is embedded in an article such as a dish 1, for communication with a remote controller. The identification tag 3 does not include both a main data carrier, such as optical disk, in addition to a contactless chip, as required by independent claims 1, 5 and 9-10.

Hino is directed to an accessed object having a non-contact IC module shown in FIGS 1-3 as reference numeral 101, and in FIGS 4-12 as reference numeral 1. The Hino IC module 101, 1 has a semiconductor device. Similar to Teraura, Hino does not teach or suggest that the IC module 101, 1 includes both a main data carrier, such as optical disk, in addition to a contactless chip, as required by independent claims 1, 5 and 9-10.

Higashino is directed to a portable terminal that has a portable phone control section, a transmission section, and a reception section which function as an on-board machine in an electronic toll collection system. As recited in paragraph [0053], the Higashino portable terminal operates in the 800MHz or 1.5GHz band in a phone mode. Further, as recited in paragraph [0053], the Higashino portable terminal operates in the 5.8GHz band in a toll

collection. These frequency bands are used for communication between the Higashino portable terminal and external networks, such as a phone network (800MHz or 1.5GHz) and a toll network (5.8GHz).

Higashino is completely silent about any communication between the portable terminal and contactless chip. There is no teaching or suggestion in Higashino of a powering signal that provides power to a contactless chip or an operating frequency of the contactless chip, let alone any teaching or suggestion that the frequency for communicating with a network is higher than the operating frequency of the contactless chip. Further, similar to Teraura and Hino, Higashino does not teach or suggest a storage unit that includes both a main data carrier, such as optical disk, in addition to a contactless chip, as required by independent claims 1, 5 and 9-10.

Tekemura is directed to a wireless information storage device included in a molded case 106 that includes a loop antenna 102, shown in FIG 1a. Similar to Teraura, Hino, and Higashino, Tekemura does not teach or suggest that the information storage device include both a main data carrier, such as optical disk, in addition to a contactless chip, as required by independent claims 1, 5 and 9-10.

It is respectfully submitted that a storage unit that includes both a main data carrier, such as optical disk, in addition to a contactless chip, as required by independent claims 1, 5 and 9-10, is nowhere taught or suggested in Teraura, Higashino, Hino, Tekemura, and combinations thereof.

Further, "adaptation means for adapting the first frequency to an operating frequency of said contactless chip, so as to generate said powering signal, the first frequency being higher than the operating frequency of said contactless chip," as recited in independent claim 1, is nowhere taught or suggested in Teraura, Higashino, Hino and Tekemura, alone or in combination.

In addition, "authorizing access to said content stored on said optical disk in response to receipt of a password," as recited in independent claim 9, and similarly recited in independent claims 5 and, is nowhere taught or suggested in Teraura, Higashino, Hino, Tekemura, and combinations thereof.

Based on the foregoing, Applicants respectfully submit that independent claims 1, 5 and 9-10 are patentable over Teraura, Higashino, Hino and Tekemura, alone, or in combination, and notice to this effect is earnestly solicited. Claims 2, 4, 8 and 11

depend from one of the claims 1 and 5 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of said claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

PATENT

Serial No. 10/538,579

Amendment in Reply to Final Office Action mailed on May 15, 2007

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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